



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT

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July 13, 2006

The Honorable Dirk Kempthorne
Secretary
U.S. Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

Re: Comments on MMS Notice of Intent to Prepare an Environmental Impact Statement for Cape Wind

Dear Secretary Kempthorne:

I know that President Bush and the American people will benefit from your experience at all levels of government, and your many years as a thoughtful policy maker in the areas of natural resource management and the environment. As you know, the Department of Interior has a strong record of carefully balancing the use of our natural resources with the protection of our most precious national parks, wildlife reservations and marine sanctuaries. I think you said it best when shortly after being confirmed you eloquently stated, "When there is a conflict between conserving resources unimpaired for future generations and the use of those resources, conservation will be predominant. That is the heart of these policies and the lifeblood of our nation's commitment to care for these special places and provide for their enjoyment." I have long maintained that national treasures such as the Grand Canyon are not suitable for commercial development. I firmly believe that in my own state, Nantucket Sound is worthy of similar protection.

On May 30, 2005, the Department's Minerals Management Service (MMS) published in the Federal Register a Notice of Intent to Prepare an Environmental Impact Statement for the proposed Cape Wind energy project in Nantucket Sound. In two previous letters to Secretary Gale Norton, I had requested that MMS not move forward in its assessment of Cape Wind until strict guidelines applicable to all offshore energy facilities were established. I had argued that moving forward with Cape Wind would undermine the goal of developing a single, comprehensive process for permitting, and therefore, would continue to deny Massachusetts the opportunity for meaningful participation in the siting process.

I have submitted comments on what should be the scope and nature of these new regulations, and my Secretary of Environmental Affairs, Stephen Pritchard, recently testified at an MMS-sponsored public hearing on the issue in Massachusetts. However, since the review of Cape Wind is moving forward simultaneously, I would like to raise ongoing concerns.

I was disappointed to learn that the period to submit comments on MMS's notice of intent was limited to just 45 days and that there were no provisions in the notice for public hearings. Hearings *were* held when the Army Corp of Engineers first reviewed the proposal, however, and since that time there have been many significant new developments relating to Cape Wind. Among these was the passage of the Energy Policy Act of 2005, which empowered the Department of Interior to design a comprehensive offshore renewable energy and alternative use program. Additionally, Cape Wind has subsequently submitted a revised project footprint. Lastly, after a contentious debate in Congress, the Coast Guard and Maritime Transportation Act empowered the Commandant of the Coast Guard to assess whether the Cape Wind project would pose hazards to navigation and public safety in heavily-traveled Nantucket Sound.

Given all this, I am requesting that you require MMS to conduct public hearings prior to the release of a draft EIS for Cape Wind. Such hearings would help the citizens of Massachusetts, and those throughout the country who have taken an interest in this precedent-setting process, to more fully understand the MMS's scoping and review process for off-shore wind facilities. Additionally, I believe the comment period should be extended to at least 90 days, to ensure the greatest amount of public participation possible.

I am a strong supporter of developing renewable energy sources that will help alleviate the great energy needs of our nation, and I believe there is much promise for wind projects off the Massachusetts coast. Furthermore, Massachusetts' renowned high tech community is well-positioned to become a leader in this growing economic sector. Wind energy is a technology that holds tremendous promise for electricity generation, particularly for coastal states. But the mechanisms in place to review Cape Wind fail to provide the Commonwealth a meaningful role in the siting, planning, and permitting of this significant energy project on the outer continental shelf immediately adjacent to state waters.

I proposed legislation, which is currently pending in the Massachusetts legislature, that would provide the authority and funding to map the land and resources within state waters and allow for the proactive identification of potential sites for wind generation and all other off-shore uses. I believe that wind energy holds great promise, and I am concerned that without an aggressive effort by the state to identify and support the development of wind energy in appropriate locations, we would miss the opportunity to thoughtfully site and accelerate these projects.

Thank you again for your consideration of my concerns. Working together, I am sure that we can achieve a sensible solution that protects our precious national treasures and allows Massachusetts to lead the way in the development of wind energy.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitt Romney", with a stylized, flowing script.

Mitt Romney

cc: Senator Edward Kennedy
Senator John Kerry
Representative Edward Markey
Representative Michael Capuano
Representative William Delahunt
Representative Barney Frank
Representative Stephen Lynch
Representative James McGovern
Representative Martin Meehan
Representative Richard Neal
Representative John Olver
Representative John Tierney